

Policy Changes Made to Implement Certain Public Acts*
Pursuant to Section 215 (1) of Public Act 118 of 2007
Department of Labor & Economic Growth

PA No.	Effective Date	Subject	Policy Change
489 of 2006	10/1/07	Auctioneer registration	Rulemaking approval was granted on October 11, 2007. We are still in the development stage. This is a voluntary registration program. We did not have any type of registration for auctioneers prior to implementation of this Act. It has not resulted in significant policy change other than allocation of staffing resources to implement the program.
497 of 2006	1/3/07	Construction lien recovery fund amendments	<ul style="list-style-type: none"> • Requires licensed contractors to pay \$10 initially and \$10 for each year of license renewal. These fees are being collected with the licensing applications. Previously, the Fund received revenue from the initial \$50 payment and any mandated special assessments when the balance fell below \$1 million. This change provides a more steady flow of revenue to the fund. • Requires Fund members to report name, address or business organizational changes within 30 days of change. • Requires each licensee to maintain a separate membership for each license held for the purpose of paying fees.

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			<p>Previously a person or company would pay a single fee to cover all of the licenses held by that person or company. The amendments also require that the subcontractor and supplier members pay a \$30 renewal fee every 3 years, beginning with the first renewal for the subcontractors and suppliers beginning June 1, 2009.</p> <ul style="list-style-type: none"> • Requires that the supplier member pay a separate membership fee for each retail location that they operate. Previously, a single membership payment from a supplier would cover all of the locations from which the supplier may conduct business. • Allows homeowners to take legal action in order to discharge an invalid lien filed by a non-licensed contractor, and to obtain damages including their legal costs.
572 of 2006	1/3/07	Construction lien recovery fund amendments	<ul style="list-style-type: none"> • Limits the Fund to paying up to 90 days of interest after the claim of lien has been paid, thus ending the legal issues over paying long term interest.

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			<ul style="list-style-type: none"> Increases the payouts from \$75,000 to \$100,000 per residential structure. We have been experiencing larger payouts for each structure. Requires the DLEG to maintain a website listing contractors who failed to pay subcontractors, suppliers and laborers, resulting in a payment from the Fund. The website is updated automatically as the administrative complaint is filed against the licensed contractor. Requires the subcontractor, supplier or laborer who seeks to enforce a construction lien on a residential structure to name the Fund as a defendant party in the foreclosure action within one year from recording the lien. NOTE: This amendment has significantly increased the number of lawsuits that the Fund has been served, including litigation on properties that have not been sold to a homeowner. Requires the homeowner to include with the homeowner affidavit a

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			copy of the written contract and proof of payment to the contractor.
581 of 2006	1/3/07	Banks; trust powers; revise	No
644 of 2006	1/5/07	Insurance; surplus lines; licensees charging certain administrative fees; modify.	No
671 of 2006	1/10/07	Michigan Life and Health Guaranty Association	No
674 of 2006	1/10/07	Human Services; long-term care; long- term care insurance partnership program; establish.	No
679 of 2006	1/10/07	Insurance; other, interstate insurance product regulation compact; enact.	No
682 of 2006	1/10/07	Liquor; use of military identification card as acceptable form of identification	Does not require a change in Commission policy inasmuch as the Commission considers Military ID an acceptable form of ID
810 of 2006	1/3/07	Insurance; no-fault; premium discount to senior drivers who complete an accident prevention course; permit.	No
1 of 2007	3/1/07	CPA peer review	Does not require a policy change as this is a new program, so we are establishing policy for the first time. We are still developing procedures for how the program will be implemented.

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11 of 2007	5/24/07	Liquor licenses for certain entities located at Oakland and Macomb Community Colleges	No policy change was required – this allowed two (2) Community College facilities to be eligible for a College Conference License.
28 of 2007	6/28/07	Construction lien amendments	From the agency standpoint, this only required us to provide information about the changes and to make minor changes to the construction lien forms that are available on our website. It did not affect actual policy.
33 of 2007	7/10/07	Household goods regulation	PA 33 of 2007 – The MPSC is adhering to the provisions of PA 33 of 2007 that provide that a carrier making a “local move” (a shipment of household goods of 40 miles or less, from point of origin to point of destination, as determined by actual miles traveled by the motor carrier and verifiable by odometer reading or mileage guide in general public use) need not have tariffed rates.
35 of 2007	7/11/07	Insurance; no-fault; premium increases or reinstatement fees for certain military personnel called into active duty; prohibit.	No
46 of 2007	7/17/07	Financial Institutions: mortgage brokers and lenders; licensing requirements for secondary mortgage companies; exempt certain employees and leased employees	No

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106 of 2007	10/1/07	State; other; public employees health benefit act; create	No
107 of 2007	10/1/07	Education; employees; providing medical, optical and dental benefits; provide in accordance with public employees health benefit act.	No
108 of 2007	10/1/07	State; other group medical, optical and dental self-insurance for municipal corporations; permit pursuant to public employees health benefit act.	No
109 of 2007	10/1/07	Higher education; community colleges; providing medical optical and dental benefits; provide in accordance with public employees health benefit act.	No
118 of 2007	10/31/07	Low-Income Energy Efficiency Funding	Section 375 of PA 118 of 2007 requires the MPSC to implement a process for the low-income energy efficiency fund grants that shall require an application deadline of May 1 and the award announcements on October 1 of each year. The MPSC has implemented this policy change. One Request for Proposals (RFP) was issued on March 21, 2008 that called for applications to be submitted on or before April 4, 2008. A second RFP is expected to be issued later in April 2008 that calls for additional applications to be submitted on or before May 1, 2008. Both RFPs will allow the Commission to meet the October 1, 2008 announcement deadline.

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155 of 2007	12/21/07	Residential builders; amendments	<p>The provisions of this bill that took effect on 12/21/07 relate to Enforcement action and penalties. The other licensing provisions of the bill take effect 6/1/08.</p> <p><u>Effective 12/21/07</u> Increases the penalties for unlicensed activity for residential builders and M&A contractors with stiffer fines and jail time; Defines “unlicensed” or “unregistered” as a person whose license or registration is suspended, revoked or lapsed; Requires restitution for any violation of the Occupational Code; Authorizes the Attorney General and the Department to utilize forfeiture; Requires the court to notify the department of certain convictions entered by the court; Specifies that a licensee under the Occupational Code who violates the act is subject to an administrative fine up to \$10,000 (an unlicensed person is not subject to this fine); Subjects a person to administrative penalties if the person aids or abets the unlicensed practice of an occupation; Allows mediation or other alternative dispute resolution; Authorized the Department to bring a civil or criminal action (in addition to administrative) for unlicensed practice of an occupation under the occupational code.</p>

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157 of 2007	12/21/07	Residential builders; amendments	<p>With the exception of the “aiding or abetting” referenced above, all of the provisions referenced above in 155 of 2007 are also adopted in 157 of 2007.</p> <p>As stated above, the Department is working with the Attorney General’s Office to determine how these provisions will be implemented.</p> <p>The department will promulgate administrative rules to clarify a number of the provisions.</p>
164 of 2007	12/21/07	Emergency telephone service funding	<p>PA 164 of 2007 – The MPSC issued an order on March 11, 2008 in Case No. U-15489 approving 9-1-1 surcharges for counties as required by this act. Section 401a(5) of Act 164 provides that the MPSC, in consultation with the emergency telephone service committee, shall review and may adjust the state 9-1-1 charge under this section and the distribution percentages under section 408 to be effective on January 1, 2009 and January 1, 2010. Such adjustments are due to be made no later than October 1 of the preceding year and shall be based on the committee's recommendations under section 412. Adjustments to the state 9-1-1 charge or</p>

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			distribution percentages after December 31, 2010 are to be made by the Legislature.
165 of 2007	12/21/07	Emergency telephone service funding	PA 165 of 2007 – In accordance with Section 408(7) of Act 165, the MPSC is prepared to consult with and consider the recommendations of the emergency telephone service committee in the promulgation of rules under section 413. The MPSC has authority under Section 413 of the act to promulgate rules to establish 1 or more of the following: (a) Uniform procedures, policies, and protocols governing 9-1-1 services in counties and PSAPs in this state. (b) Standards for the training of PSAP personnel under Section 408(2)(b). (c) Uniform procedures, policies, and standards for the receipt and expenditure of 9-1-1 funds under Sections 401a, 401b, 401c, 401d, 401e, 406, and 408. (d) The requirements for multiline telephone systems under section 405, which requires each service user with a multiline telephone system to install no later than December 31, 2011 the necessary equipment and software to provide specific location information of a 9-1-1 call.

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			(e) The penalties and remedies for violations of this act and the rules promulgated under this act.

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